

Notice of Allowability

Application No.

10/036,414

Examiner

Brenda Pham

Applicant(s)

MORIKAWA ET AL.

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/07/02.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 07 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 01/07/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Brenda A. Pham

8/22/05

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. The application has been amended as follows: Abstract of The Disclosure amended as follows:

Abstract of The Disclosure on page 38 of the specification is deleted. Newly added Abstract of The Disclosure as follows:

A communication system capable of avoiding congestion in transmission of moving image data, includes converting moving image data to be delivered to at least one receiving terminal, in accordance with conversion parameters; preliminarily storing the converted moving image data to be sent to at least one receiving terminal; monitoring an amount of the stored moving image data to judge that the monitored data amount reaches a first threshold; sending a congestion preview information when it is judge that the monitored data amount reaches the first threshold; receiving the sent congestion preview information; and determining the conversion parameters so that the converting step converts the moving image data into a moving image data with a smaller coding bit rate.

REASONS FOR ALLOWANCE

3. Claims 1-20 allowed over prior art.
4. The following is an examiner's statement of reasons for allowance: The prior art made of record fails to teach or fairly suggests in combination the step of receiving the sent congestion preview information; and determining the conversion parameters so that said converting step converts the moving image data into a moving image data with a smaller coding bit rate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Honda (US 6,369,852) discloses an analytical system for moving picture regeneration. Honda suggests a method of securing sufficient leads time to enable retransmission by, for example, lowering a coding rate when the transmission errors occur.

Rosenberg (US 6,304,567 B1) discloses a methods and apparatus for providing voice communication through a packet network. Rosenberg suggests changes of coding type due to varying congestion levels in the network.

Murgia et al (US 6,606,600 B1) teaches the majority of coders have been developed for broadcasting or communications applications in circuit mode, leading to

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fixed rate coders or coders with the rate selected from several possible values when the connection is set up. In the packet mode context, it is better that the rate should vary more dynamically, so that the data stream can be matched to the congestion encountered when the packets are conveyed while ensuring that the communication is maintained.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

August 22, 2005

Brenda Pham

Brenda A. Pham